

# **Exhibit 86**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION

ANDREW H. WARREN, )  
                          )  
                          )  
Plaintiff,            ) Case No: 4:22cv302  
                          )  
                          )  
v.                     ) Tallahassee, Florida  
                          )  
                          ) November 29, 2022  
RON DESANTIS, individually and )  
in his official capacity as )  
Governor of the State of )  
Florida,                )  
                          )  
                          ) 9:00 AM  
Defendant.            ) VOLUME I  
                          )  
\_\_\_\_\_

TRANSCRIPT OF BENCH TRIAL PROCEEDINGS  
BEFORE THE HONORABLE ROBERT L. HINKLE  
UNITED STATES DISTRICT JUDGE  
(Pages 1 through 273)

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*Proceedings reported by stenotype reporter.  
Transcript produced by Computer-Aided Transcription.*

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1                   Am I missing something?

2                   MR. LEVESQUE: No, Your Honor. But I think some of  
3 the aspects of -- or at least from our perspective, there were  
4 expressions that were made on Twitter.

5                   THE COURT: I get it. I just -- I just wanted to make  
6 sure I hadn't missed him tweeting either the trans policy or the  
7 abortion policy. Those just didn't go out. Got it.

8                   MR. LEVESQUE: Certainly they were out there for  
9 circulation, even though he didn't personally promote them.

10                  THE COURT: Did Mr. Aaron go to find Mr. Keefe?

11                  MR. CABOU: He did, Your Honor. We've been trying to  
12 coordinate as best we can. It's my fault.

13                  THE COURT: No, I understand. Nobody knows exactly  
14 when the prior witness is going to finish, so it sometimes takes  
15 a minute.

16                  (Mr. Keefe entered the courtroom.)

17                  THE WITNESS: Go ahead?

18                  THE COURTROOM DEPUTY: Please raise your right hand.

19                  **LARRY KEEFE, PLAINTIFF WITNESS, DULY SWORN**

20                  THE COURTROOM DEPUTY: Please be seated.

21                  Please state your full name and spell your last name  
22 for the record.

23                  THE WITNESS: My name is Larry Keefe, K-e-e-f-e.

24                  DIRECT EXAMINATION

25

## Direct Examination - Mr. Keefe

1 BY MR. CABOU:

2 Q. Good afternoon, Mr. Keefe. Thank you for being here today.

3 We appreciate you being flexible in your scheduling.

4 Would you start by introducing yourself and your role to  
5 the Court?

6 A. My name is Larry Keefe. I'm a senior policy advisor to  
7 Governor Ron DeSantis.

8 Q. Sir, in your role as senior policy advisor to  
9 Governor DeSantis can you describe generally your day-to-day  
10 responsibilities?

11 A. My job is to be a liaison between the Governor's Office and  
12 federal and state law enforcement. That covers areas such as  
13 immigration, cybersecurity, election security, and what I call  
14 ad hoc projects, things that come up that have some nexus to the  
15 world that I am from and which I inhabit.

16 THE COURT: I probably should tell both sides -- I'm  
17 sure you all know this -- Mr. Keefe was, of course, the  
18 United States Attorney. I suspect the last time he spoke in  
19 this courtroom was probably when he was being sworn in at the  
20 service we had here. Both sides should know it. I know  
21 Mr. Keefe because he was the United States Attorney here in this  
22 district.

23 MR. CABOU: Your Honor anticipated one of my next  
24 questions, but we can skip right past that now.

25

## Direct Examination - Mr. Keefe

1 BY MR. CABOU:

2 Q. Mr. Keefe, anything else about your background that you'd  
3 like to share with us today?

4 A. Father of four, husband, private sector lawyer for over 30  
5 years, then went into public service with the Department of  
6 Justice as the U.S. Attorney here in the Northern District, was  
7 retired for about six or seven months, and came back into  
8 service for Governor DeSantis.

9 Q. Sir, I've heard you're referred to either -- sometimes even  
10 officially as the public safety czar. Is that one of the titles  
11 you are known by?

12 A. It is.

13 Q. Someday I'm going to get somebody to give me the title of  
14 czar. It sounds very fun.

15 At one point, sir, in the course of your duties with your  
16 work with the Governor was there a review in which you were  
17 involved regarding State Attorneys in the state of Florida?

18 A. Well, how that came about, I was in a meeting with the  
19 Governor, the chief of staff, James Uthmeier, the general  
20 counsel, Ryan Newman sometime in December of 2021. And we were  
21 meeting on some subject -- I cannot particularly remember which  
22 one, but in my portfolio of things that I described to the Court  
23 earlier. And during the course of that meeting, the Governor  
24 asked me whether there were any State Attorneys in the state of  
25 Florida that were not enforcing the law. I said back to the

## Direct Examination - Mr. Keefe

1 Governor that I did not know, but that I would be glad to look  
2 into it. And then the conversation went on to the other topics  
3 we were discussing which had something to do with my portfolio.  
4 Very likely at that time I suspect it was immigration related.

5 Q. So, sir, in that meeting were you directed by the Governor  
6 to investigate anything?

7 A. No.

8 Q. Did you at any point conduct an investigation of State  
9 Attorneys?

10 A. I certainly wouldn't -- not to quibble, but I would stay  
11 away from using your word "investigation." I didn't consider it  
12 to be an investigation in the formal sense. The Governor simply  
13 asked me a question. I did not have an answer to the question.  
14 I said that I would look into it. And by my own standards, in  
15 terms of learning to do my job and do what I do for the Governor  
16 and others in the Governor's Office, my best description is I  
17 looked into it in the course of my ongoing daily duties, which  
18 largely is day-in-and-day-out interaction with federal, state,  
19 and local enforcement throughout the state of Florida.

20 Q. Okay. The Governor has said that he asked his staff to  
21 conduct a review of all State Attorneys in the state of Florida.

22 Did you, in fact, do that?

23 A. By my standards, I did, yes. I believe that I conducted a  
24 statewide review of law enforcement in regard to whether there  
25 were state attorneys who were not enforcing the law. And by my

## Direct Examination - Mr. Keefe

1 own set of standards, since there is not a separate objective  
2 set of standards as there would be, let's say, in an  
3 investigation, I did that. There was no sense -- there was no  
4 time deadline. There was no sense of urgency. There was no  
5 haste. And I had not even actually received a tasking or an  
6 order to do it. I took on the project so at some point I would  
7 be able to apprise the Governor of what I had picked up in the  
8 course of my regular duties on whether there was the impression  
9 or belief in the law enforcement community that there were one  
10 or more State Attorneys who were not enforcing the law.

11 Q. Did you conduct a systematic, methodical investigation of  
12 whether or not there were State Attorneys in Florida not  
13 enforcing the law?

14 A. I did not conduct a systematic, methodical investigation.  
15 Once again, I did not conduct an investigation. That was not --  
16 that was not what I chose to do in the endeavor that I pursued.

17 Q. Is it fair to say that your work consisted primarily of  
18 speaking with contacts in law enforcement and listening to what  
19 they had to say?

20 A. Predominantly, yes.

21 Q. Is it fair to say that that work was on an ad hoc basis?

22 A. Sometimes it would be nothing for a day or a week, and  
23 sometimes it would be a regular ongoing basis for two or three  
24 weeks where, throughout the course of the day in my interactions  
25 on various subjects, I would bring up the subject. And it would